IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

WP(C).No. 33397 of 2006(A)

PETITIONERS:
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1. N. ASHOKAN,
   THEKKADATHAZHIKATHU VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

2. R. GANGADHARAN,
   CHARUVILA PUTHEN VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

3. SHEKHARAN CHELLAPPAN,
   KALLUVARYKUNNATHU VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

4. SULOCHANA, KALLVARIMUKALIL VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

5. G. KUMARAN, KIZHAKKEVILA VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

6. OMANA, CHARUVILA PUTHEN VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

7. K. PONNAMMA, THEKKADATHU PUTHEN VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

8. NEELAMBARAN N., KANAKAKUNNIL VEEDU,
   PERUMPUZHATHAZHAM CHERRY,
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

9. RAMACHANDRAN S., KANAKAKUNNU,
   THEKKATHIL, (MIDHILALAYAM),
   PERUMPUZHA P.O., KUNDARA, KOLLAM.

10. UNNI R., CHARUVILA VADAKKATHIL VEEDU,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

11. SUBHADRA, THEKKADATHU MELATHIL VEEDU,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

12. HARIDASAN, CHARUVILAKIZHAKKATHIL VEEDU,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

13. SREEMATHI DEVI, JANAKI MANDIRAM,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

14. BALAN K., SUBHADRA, CHARUVILA VEEDU,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

15. THULASEEDHARAN A.,
    KIZHAKKEPUTHENVILA VEEDU,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

16. S.KUNJU RAMAN, VAZHAVILA VEEDU,
    PERUMPUZHATHAZHAM CHERRY,
    PERUMPUZHA P.O., KUNDARA, KOLLAM.

17. ABDUL KHADERKUTTY, POWER OF ATTORNEY
    HOLDER, FATHER KOYAKUTTY,
    CHARUVILAPUTHEN VEEDU, VILAPPURATHU PUTHEN VEEDU,
    ELAMPALLOOR P.O., KUNDARA.

18. K.KUTTY, KUTTYVILA VEEDU,
PERUMPUZHA THAZHAM CHERRY,
PERUMPUZHA P.O., KUNDARA, KOLLAM.

BY ADV. SRI.PRATHEESH.P

RESPONDENTS:
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1. STATE OF KERALA,
REP. BY THE PRINCIPAL SECRETARY,
FINANCE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM.

3. THE SPECIAL TAHSILDAR (L.A.),
K.I.P., KOLLAM, KOTTIYAM, KOLLAM.

BY GOVERNMENT PLEADER ADV. SHRI L.G. SURESH BABU.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.T. SANKARAN, J.

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W.P.(C) No. 33397 OF 2006

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Dated this the 17th January, 2007

J U D G M E N T

Lands belonging to the petitioners were acquired for the purpose of Kottiyam Distributory of Kallada Irrigation Project and award was passed. No application was submitted by the petitioners for reference under section 18 of the Land Acquisition Act. However, after Ext. P1 judgment in L.A.R.No. 517 of 1988 was passed in respect of another land acquired under the same notification, wherein enhancement of land value was granted by the Reference Court, the petitioners submitted Exts.P2(a) to P2 (r) applications under section 28A of the Land Acquisition Act. The grievance of the petitioners is that though applications under section 28A of the Land Acquisition Act were filed in the year 2000, the same have not been disposed of so far.

2. Learned Government Pleader, on instruction, submits that Exts. P2(a) to P2(r) applications are pending disposal. He also submitted that

the petitioner No.13 has submitted two applications under section 28A of the Land Acquisition Act and those applications are also pending. Government Pleader submitted that thousands of applications under section 28A are pending disposal and those applications are being disposed of in accordance with the priority.

3. Since Exts. P2(a) to P2(r) are not disposed of, there will be a direction to the third respondent to dispose of Exts. P2(a) to P2(r), in accordance with the priority of applications, at any rate, within a period of six months.

Writ Petition is allowed as above.

K.T. SANKARAN,
JUDGE.

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